

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: KENNETH A. DOWNING  
AND PAMELA J. DOWNING**

**CHAPTER 7**

**DEBTORS**

**CASE NO. 08-10015**

**MOTION TO WAIVE DEBTOR'S APPEARANCE  
AT 341(a) MEETING OF CREDITORS**

**COME NOW**, Debtors, by and through their attorney of record, and request this Honorable Court to issue an order waiving the Debtor's appearance at the 341(a) Meeting of Creditors, and would state to the Court as follows, to-wit:

1. That Ms. Downing's health makes it impossible for her to attend her 341(a) Meeting of Creditors. A copy of a letter from Pamela J. Downing's doctor is attached hereto as Exhibit "A".

2. That no Creditor will be prejudiced by the Debtor's absence from the 341(a) Meeting of Creditors.

WHEREFORE, PREMISES CONSIDERED, Debtors move this Honorable Court to waive the appearance of the Debtor, Pamela J. Downing, at the 341(a) Meeting of Creditors.

RESPECTFULLY SUBMITTED,

/s/Karen B. Schneller  
KAREN B. SCHNELLER, MSB # 6558  
ATTORNEY AT LAW  
POST OFFICE BOX 417  
HOLLY SPRINGS, MISSISSIPPI 38635  
(601) 252-3224

**CERTIFICATE OF SERVICE**

I, Karen B. Schneller, Attorney for Debtor, do hereby certify that I have this day mailed, via electronic delivery or postage prepaid, a true and correct copy of the above and foregoing Motion To Avoid Lien to:

Hon. Stephen P. Livingston  
Chapter 7 Trustee  
P. O. Box 729  
New Albany, MS 38652

U. S. Trustee  
100 West Capitol Street, Ste 706  
Jackson, Mississippi 39269

This the 17<sup>th</sup> day of January, 2008.

/s/Karen B. Schneller

KAREN B. SCHNELLER

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**ORDER WAIVING APPEARANCE**

This matter came on to be heard this day on the motion of Debtors requesting the Court waive the appearance of Pamela J. Downing at her 341(a) Meeting of Creditors and it appearing unto the Court as follows, to wit:

1. That due to the Debtor's health issues, she is unable to attend her 341(a) Meeting of Creditors.

2. That no Creditor will be prejudiced by the Debtor's absence.

**IT IS, THEREFORE, ORDERED** that the Debtor, Pamela J. Downing, appearance at the 341(a) Meeting of Creditors is hereby waived.

**SO ORDERED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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**DAVID W. HOUSTON, III  
U. S. BANKRUPTCY JUDGE**